

WHEN RECORDED RETURN TO:
Ivory Development, LLC
Christopher P. Gamvroulas
978 East Woodoak Lane
Salt Lake City, UT 84117
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ADAM GARDINER
Recorder, Salt Lake County, UT
COTTONWOOD TITLE
BY: eCASH, DEPUTY - EF 4 P.

**SECOND SUPPLEMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AND
RESERVATION OF EASEMENTS
FOR
HYDE POINTE PHASE 3**

This Second Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Pointe Phase 3 is made and executed by Ivory Development, LLC., a Utah limited liability company, of 978 East Woodoak Lane, Salt Lake City, UT 84117 (the "Declarant").

RECITALS

A. Whereas, the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Pointe Phase 1 was recorded in the office of the County Recorder of Salt Lake County, Utah on June 6, 2017 as Entry No. 12550426 in Book 10565 at Pages 1594-1649 of the official records (the "Declaration").

B. Whereas the related Plat Map for Phase 1 has also been recorded in the office of the County Recorder of Salt Lake County, Utah (the "Phase 1 Final Plat").

C. Whereas, the First Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Pointe Phase 1 was recorded in the office of the County Recorder of Salt Lake County, Utah on June 2, 2018 as Entry No. 12803656 in Book 10690 at Pages 3363-3370 of the official records (the "First Supplement").

D. Whereas the related Plat Map for Phase 2 has also been recorded in the office of the County Recorder of Salt Lake County, Utah (the "Phase 2 Final Plat").

E. Whereas, under Article 4 of the Declaration of Covenants, Declarant reserved an option to unilaterally expand the subdivision in accordance with the Declaration.

F. Whereas, Declarant is the fee simple owner of record of that certain real property located in Salt Lake County, Utah and described with particularity on Exhibit "A-3" attached hereto and incorporated herein by this reference (the "Phase 2 Property").

G. Whereas, under the provisions of the Declaration, Declarant expressly reserved the absolute right to expand the application of the Declaration to other real property.

H. Whereas, Declarant desires to expand the subdivision by creating on the Phase 2 Property additional Lots.

I. Whereas, Declarant now intends that the Phase 3 Property shall become subject to the Declaration.

NOW, THEREFORE, for the reasons recited above, and for the benefit of the subdivision and the Lot Owners thereof, Declarant hereby executes this Second Supplement to the Declaration.

1. **Supplement to Definitions.** Article I of the Declaration, entitled "Definitions," is hereby modified to include the following supplemental definitions:

a. **Second Supplemental Declaration** shall mean and refer to this Second Supplement to the Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Hyde Pointe Phase 3.

b. **Phase 3 Map** shall mean and refer to the Plat Map of Phase 3 of the Project, prepared and certified to by Robbin J. Mullin, a duly registered Utah Land Surveyor holding Certificate No.368356, and filed for record in the Office of the County Recorder of Salt Lake County, Utah concurrently with the filing of this Second Supplemental Declaration.

c. **Subdivision** shall mean and refer to Hyde Pointe Phases 1 and 2, as it may be supplemented from time to time.

Except as otherwise herein provided, the definition of terms contained in the Declaration are incorporated herein by this reference.

2. **Legal Description.** The real property described in Exhibit A-3 is hereby submitted to the provisions of the Declaration and said land shall be held, transferred, sold, conveyed and occupied subject to the provisions of the Declaration as it may be supplemented or amended from time to time.

3. **Annexation.** Declarant hereby declares that the Phase 3 Property shall be annexed to and become subject to the Declaration, which, upon recordation of this Second Supplemental Declaration, shall constitute and effectuate the expansion of the Project, making the real property described in Exhibit A-3 subject to this Declaration and the functions, powers, rights, duties and jurisdiction of the Association.

4. **Total Number of Units Revised.** As shown on the Phase 3 Map, thirty-eight (38) new Lots, Numbers 51-88 are or will be constructed and/or created in the Project on

EXHIBIT "A-3"

**LEGAL DESCRIPTION
BOUNDARY - HYDE POINTE PHASE 3**

The Property referred to in the foregoing document as the Hyde Pointe Phase 3 or the Phase 3 Property is located in Salt Lake County, Utah and is described more particularly as follows:

Thence, S 89° 56' 32" E for a distance of 102.79 feet to a point on a line. Thence, S 81° 25' 52" E for a distance of 50.56 feet to a point on a line. Thence, S 89° 56' 32" E for a distance of 434.46 feet to a point on a line. Thence, S 63° 47' 01" E for a distance of 56.84 feet to a point on a line. Thence, S 37° 06' 21" E for a distance of 11.14 feet to a point on a line. Thence, S 63° 47' 01" E for a distance of 39.88 feet to a point on a line. Thence, S 37° 37' 30" E for a distance of 153.29 feet to a point on a line. Thence, S 14° 47' 32" E for a distance of 46.61 feet to a point on a line. Thence, S 08° 02' 35" W for a distance of 355.52 feet to a point on a line. Thence, S 80° 44' 11" E for a distance of 28.32 feet to a point on a line. Thence, S 09° 15' 49" W for a distance of 159.00 feet to a point on a line. Thence, N 80° 44' 11" W for a distance of 162.22 feet to the beginning of a curve. Said curve turning to the left through an angle of 08° 10' 09.1", having a radius of 1134.00 feet, and whose long chord bears N 84° 49' 16" W for a distance of 161.55 feet. Thence, N 88° 54' 20" W for a distance of 7.89 feet to a point on a line. Thence, N 82° 26' 41" W for a distance of 179.08 feet to a point on a line. Thence, N 06° 31' 37" E for a distance of 23.46 feet to a point on a line. Thence, N 77° 26' 46" W for a distance of 111.60 feet to a point on a line. Thence, S 11° 41' 18" W for a distance of 29.45 feet to a point on a line. Thence, N 79° 10' 37" W for a distance of 164.10 feet to a point on a line. Thence, N 10° 26' 13" E for a distance of 58.58 feet to a point on a line. Thence, N 12° 42' 40" E for a distance of 68.06 feet to a point on a line. Thence, N 08° 38' 30" E for a distance of 116.23 feet to a point on a line. Thence, N 01° 57' 24" E for a distance of 93.70 feet to a point on a line. thence N 01° 01' 36" W a distance of 293.22 feet to the POINT OF BEGINNING

SAID PROPERTY CONTAINS 11.71 ACRES MORE OR LESS AND 38 LOTS